IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:10-CV-153-DCK

YOURATM.COM, INC.,)	
Plaintiff,)	
v.)	<u>ORDER</u>
NCR CORPORATION,)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on "Plaintiff's Motion For Preliminary Injunction" (Document No. 6) filed April 21, 2010; and Defendant's "Motion To Compel Arbitration" (Document No. 17) filed July 20, 2010. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and these motions are now ripe for disposition.

After careful consideration of the record, the motions, the parties' submissions in support, and the oral arguments of counsel at a motion hearing on July 21, 2010, the Court will deny the motion for preliminary injunction without prejudice, and grant the motion to compel arbitration. For good cause shown, and noting the parties' consent to the motion for arbitration, the Court finds that a stay of this action and the scheduling of arbitration as soon as is practicable, is appropriate.

IT IS, THEREFORE, ORDERED that "Plaintiff's Motion for a Preliminary Injunction" (Document No. 6) is **DENIED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that Defendant's "Motion To Compel Arbitration" (Document No. 17) is **GRANTED**.

IT IS FURTHER ORDERED that this action is STAYED pending the outcome of arbitration. The parties shall file a report on the results of arbitration within thirty (30) days of a ruling by the arbitrator.

SO ORDERED.

Signed: August 4, 2010

David C. Keesler

United States Magistrate Judge